



NSW GOVERNMENT
Department of Planning

Contact: Colin Phillips
Phone: (02) 9228 6483
Fax: (02) 9228 6466
Email: colin.phillips@planning.nsw.gov.au

Mr Peter Barton
General Manager
Ashton Coal Operations Limited
PO Box 699
SINGLETON NSW 2330

Dear Mr Barton

**Director-General's Requirements
Proposed Modification – Ashton Coal Mine**

I refer to your proposal to modify the development consent for the Ashton Coal Mine.

I have attached a copy of the Director-General's requirements for the proposal.

I would appreciate it if you would contact the Department at least two weeks before you submit the Environmental Assessment of the proposal. This will enable the Department to determine:

- the applicable fee; and
- number of copies (hard-copy or CD-ROM) of the Environmental Assessment that will be required.

The Department is required to make all the relevant information associated with the proposal publicly available on its website during the assessment process. Consequently, I would appreciate it if you would ensure that all documents submitted to the Department are in a suitable format for the web.

If you have any enquiries about these requirements, please contact Colin Phillips on 9228 6483.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'C. Wilson'.

31. 7. 08

Chris Wilson
Executive Director
Major Project Assessment
as delegate for the Director-General

Director-General's Requirements

Section 75W of the *Environmental Planning and Assessment Act 1979*

Application number	DA 309-11-2001 MOD 4
Proposed Modification	The proposal includes: <ul style="list-style-type: none"> • mining an additional longwall panel, located on the western margin of the mine's existing development consent area; • increasing maximum run-of-mine coal production from 5.2 to 5.8 million tonnes a year; and • updating some of the existing conditions of consent.
Location	Adjacent to the New England Highway, about 14 km northwest of Singleton.
Proponent	Ashton Coal Operations Limited.
Date of Issue	31 July 2008
General Requirements	The Environmental Assessment of the proposal must include: <ul style="list-style-type: none"> • a summary of the existing and approved mining operation/facilities on site, and the existing environmental management and monitoring regime; • a detailed description of the proposal; • a detailed assessment of the key issues specified below, which includes: <ul style="list-style-type: none"> - a description of the existing environment; - an assessment of the potential impacts of the proposal, including any potential cumulative impacts, taking into consideration any relevant policies, guidelines, plans and statutory provisions; and - a description of the measures that would be implemented to avoid, minimise, mitigate, rehabilitate/remediate, monitor and/or offset the potential impacts of the proposed modification; • a general assessment of any other potential impacts of the proposal; • a statement of commitments, outlining all the proposed environmental management and monitoring measures; • a conclusion justifying the proposal on economic, social and environmental grounds, taking into consideration whether it is consistent with the objects of the <i>Environmental Planning and Assessment Act 1979</i>; and • a signed statement from the author of the Environmental Assessment, certifying that the information contained within the document is neither false nor misleading.
Key Issues	<ul style="list-style-type: none"> • Subsidence – including: <ul style="list-style-type: none"> - accurate predictions of the potential subsidence effects of the modified mine plan; and - an assessment of the potential impacts of these subsidence effects on the natural and built environment, and particularly on Bowman's Creek; • Soil and Water – including a revised water balance; • Aboriginal Heritage; • Flora and Fauna; • Air Quality and Noise: demonstrate that the mine as modified would comply with the air quality and noise limits in the existing development consent.
References	The Environmental Assessment should take into account relevant State Government policies, guidelines, and plans (see attachment).
Consultation	During the preparation of the Environmental Assessment, you should consult with the relevant local, State or Commonwealth Government authorities, service providers, community groups or affected landowners. In particular you should consult with the:

	<ul style="list-style-type: none">• Department of Environment and Climate Change;• Department of Water and Energy; and• Department of Primary Industries. <p>The consultation process and the issues raised must be described in the Environmental Assessment.</p>
Deemed refusal period	30 days

Policies, Guidelines & Plans

Aspect	Policy/Methodology
Subsidence	<i>Guideline for Application for Subsidence Management Approvals (DPI);</i>
Soil & Water	<p>Managing Urban Stormwater: Soils & Construction (Landcom)</p> <p>National Water Quality Management Strategy Guidelines for Groundwater Protection in Australia (ARMCANZ/ANZECC)</p> <p>NSW State Groundwater Policy Framework Document (DWE)</p> <p>NSW State Groundwater Quality Protection Policy (DWE)</p> <p>Draft NSW State Groundwater Quantity Management Policy (DWE)</p> <p>The NSW State Groundwater Dependent Ecosystem Policy (DWE)</p> <p>Any Relevant <i>Water Sharing Plan</i> under the <i>Water Management Act 2000</i></p> <p>National Water Quality Management Strategy: Australian Guidelines for Fresh and Marine Water Quality (ANZECC/ARMCANZ)</p> <p>National Water Quality Management Strategy: Policies and Principles - A Reference Document (ANZECC/ARMCANZ)</p> <p>National Water Quality Management Strategy: Implementation Guidelines (ANZECC/ARMCANZ)</p> <p>National Water Quality Management Strategy: Australian Drinking Water Guidelines (NHMRC/NRMMC)</p> <p>National Water Quality Management Strategy: Australian Guidelines for Water Quality Monitoring and Reporting (ANZECC/ARMCANZ)</p> <p>Using the ANZECC Guideline and Water Quality Objectives in NSW (DECC)</p> <p>Approved Methods for the Sampling and Analysis of Water Pollutants in NSW (DECC)</p>
Aboriginal Heritage	Draft Guidelines for Aboriginal Cultural Heritage Impact Assessment and Community Consultation (DECC)
Flora & Fauna	Draft Guidelines for Threatened Species Assessment under Part 3A of the <i>Environmental Planning and Assessment Act 1979</i> (DECC)
Air Quality	<p>Protection of the Environment Operations (Clean Air) Regulation 2002</p> <p>Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (DECC)</p> <p>Approved Methods for the Sampling and Analysis of Air Pollutants in NSW (DECC)</p>
Noise	NSW Industrial Noise Policy (DECC)